

ZB# 06-57

Karen Jeffers

13-12-17

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 12-11-06

06-57

KAREN JEFFERS (AREA) (13-12-12)
13 MERLINE AVE.

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 13-12-7

In the Matter of the Application of

KAREN JEFFERS

MEMORANDUM OF
DECISION GRANTING

AREA VARIANCE

CASE #06-57

WHEREAS, Ormiston Gumbs represented the, owner(s) of 33 Merline Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17)

WHEREAS, a public hearing was held on DECEMBER 11, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Ormiston Gumbs represented the Applicant and appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
 - (b) The property consists of a single family, two-bedroom house. The applicant is seeking to place an addition on the house to accommodate a third bedroom.

- (c) If approved, the applicant will remove the existing deck.
- (d) In constructing the addition, the applicant will remove no substantial vegetation.
- (e) The addition will not create the ponding or collection of water or divert the flow of water drainage.
- (f) The addition will not be on top of nor will it interfere with any easements, including, but not limited to water, sewer or electrical easements.
- (g) With the addition, the house will not be overly large or inappropriate for the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

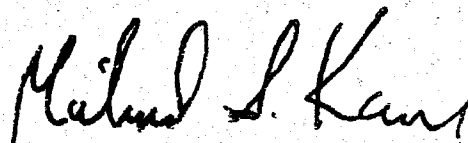
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: 12-106

A handwritten signature in dark ink, appearing to read "Michael S. Kaur", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: August 21, 2006

APPLICANT: Karen Jeffers
33 Merline Avenue
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/21/06

FOR : Karen Jeffers

LOCATED AT: 33 Merline Avenue

ZONE: R-4 Sec/Blk/ Lot: 13-12-17

COPY

DESCRIPTION OF EXISTING SITE: Single Family Dwelling w/ proposed addition

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-10 USE/BULK TABLE F-4 ZONE. REQUIRED REAR YARD DEPTH (50') AND REQUIRED SIDE YARD/BOTH YARDS 20/40. PROPOSED ADDITION WILL BE 34.5' REAR YARD AND 14' SIDE YARD, 19.5' TOTAL BOTH YARDS. A VARIANCE OF 15.5' REAR AND 6'/20.5' SIDE YARD/TOTAL BOTH YARDS IS REQUIRED.

Louis J. Kynhor
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: SINGLE FAMILY W/ ADDITION

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD: 20'

14'

6'

REQ'D TOTAL SIDE TD: 40'

19.5'

20.5'

REQ'D REAR YD: 50'

34.5'

15.5'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

8/28/06 Sent Applicant.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

06189-JEF

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

AUG 21 2006

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit # 2006-882

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Karen Jeffers

Address 33 Nerline Avenue Phone 845 561-7834

Mailing Address Same Fax # _____

Name of Architect Charles T Brown, PE

Address 633 Kidney Ave Phone 845-569-8400

Name of Contractor Orniston Gumb

Address 43 City Terrace

Phone 845-527-6189

State whether applicant is owner, lessee, agent, architect, engineer or builder

Owner

If applicant is a corporation, signature of duly authorized officer

(Name and title of corporate officer)

1. On what street is property located? On the N.E. side of Marline Avenue
(N, S, E or W)
and 2,100 feet from the intersection of Clancy Avenue

2. Zone or use district in which premises are situated R4 Is property a flood zone? Y N

3. Tax Map Description: Section 13 Block 12 Lot 17

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other ADDITION

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front N/A Rear 28' 1/2 Depth 23 Height 20' No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Total: 3 Total: 2
Number of bedrooms 1 Baths 1 Toilets 1 Heating Plant Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$17,000.00

Fee \$50.00

"Low"

CH# 2534

ZONING BOARD

PAYED

8118106
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4518
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Karen Jones
(Signature of Applicant)

(Address of Applicant)

Karen Jones
(Owner's Signature)

33 Madison Ave New Windsor
(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

N

W

E

S

See
attached

00130 01170X

06189-55E

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: August 21, 2006

APPLICANT: Karen Jeffers
33 Merline Avenue
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/21/06

FOR : Karen Jeffers

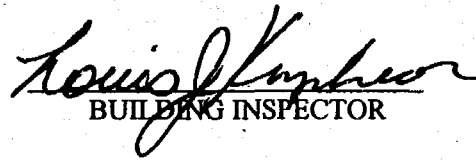
LOCATED AT: 33 Merline Avenue

ZONE: R-4 **Sec/Blk/ Lot:** 13-12-17

DESCRIPTION OF EXISTING SITE: Single Family Dwelling w/ proposed addition

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-10 USE/BULK TABLE R-4 ZONE. REQUIRED REAR YARD DEPTH (50') AND REQUIRED SIDE YARD/BOTH YARDS 20/40. PROPOSED ADDITION WILL BE 34.5' REAR YARD AND 14' SIDE YARD, 19.5' TOTAL BOTH YARDS. A VARIANCE OF 15.5' REAR AND 6'/20.5' SIDE YARD/TOTAL BOTH YARDS IS REQUIRED.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: SINGLE FAMILY W/ ADDITION

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD: 20'

14'

6'

REQ'D TOTAL SIDE TD: 40'

19.5'

20.5'

REQ'D REAR YD: 50'

34.5'

15.5'

REQ'D FRONTAGE:

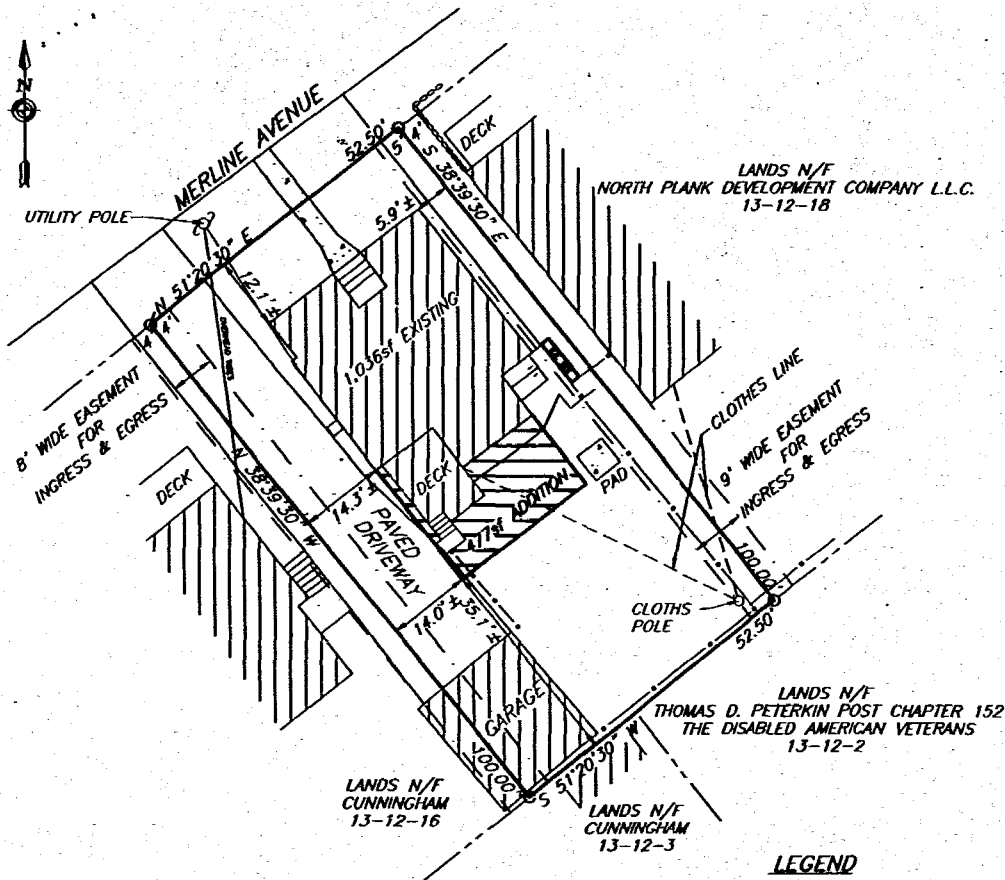
MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



LEGEND

- PROPERTY LINE
- PROPERTY LINE ADJOINING
- EASEMENT EXISTING
- BUILDING EXISTING
- BUILDING EXISTING TO BE REMOVED
- BUILDING PROPOSED
- STOCKADE FENCE

ZONING SCHEDULE

ZONE: R-4

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	43,560sf.	*5,250sf.	*5,250sf.
MINIMUM YARDS (feet)			
FRONT	45'	*12'	*12'
REAR	50'	*42'	*35'
SIDE			
ONE	20'	*6'	
BOTH	40'	*20'	
MINIMUM LOT WIDTH (feet)	125'	*53'	*53'
MAXIMUM DEVELOPMENT COVERAGE (%)	20%	47%	56%
MAXIMUM BUILDING HEIGHT	35'	20'	20'

*= EXISTING NON-CONFORMING

**= VARIANCE REQUIRED

MAP REFERENCE

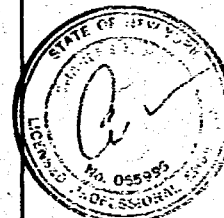
ALL EXISTING FEATURE INCLUDING PROPERTY LINES AND STRUCTURES ARE A PER A SURVEY ENTITLED "KAREN JEFFERS" PREPARED BY WILLIAM B. HILDRETH L.S., COMPLETED ON JULY 2006

TACONIC DESIGN CONSULTANTS

633 GIDNEY AVENUE
NEWBURGH, NY 12550
845-569-8400
845-569-4563 (fax)

ENGINEER

CHARLES T. BROWN P.E.
WILLIAM J. MOREAU, P.E.
1 GARDNERTOWN ROAD
NEWBURGH, NY 12550
(845)-561-2582



SITE PLAN FOR:
JEFFERS

S.B.L:13-12-17,(LOTS 353& 354) "CITY PARK"
FM # 647, 33 MERLINE AVENUE
NEW WINDSOR ORANGE COUNTY, NEW YORK

DATE	SCALE	JOB NUMBER	SHEET NUMBER
06/14/06	1"=20'	06189-JEF	1 OF 1

13.7	0	13.7	0
(439)	75	(438)	(457)
		99.9	
(436)	100		
(435)			120
(434)	• 13		
(433)			
(432)	• 14		8
(431)	100		

AVENUE

		38.5	61.5
(341)	(342)	.5	
11	(343)	6.2	
	3	.6	
(344)	(333)	.7	
	(332)		
(345)	(331)	.8	
(346)	(330)		

AVENUE.

AVENUE-

100		100	
100	(152)	(143)	.3
100	(153)	(142)	.4
100	(154)	(141)	.5
100	(155)	(140)	.6
100	(156)	(139)	.7
100	(157)	(138)	.8
100		100	

-ORA-STREET-

(430)	100
(429)	• 2 8
(428)	• 3 1 8
(427)	• 4 1 8
(426)	• 5 8
(425)	• 6 8
(424)	• 7 8
(423)	• 8 8
(422)	• 9 8
(421)	• 10 8
(420)	• 11 8
(419)	• 12 8
(418)	• 13 8
(417)	• 14 8
(416)	• 15 8
(415)	• 16 8
(414)	• 17 8
(413)	• 18 8
(412)	• 19 8
(411)	• 20 8
(410)	100

MERLINE

CITY PARK

100	(347)	(329)	100
80	• (348)	(328)	
	(349)	(327)	
60	20 • (350)	(326)	• 2
	(351)	(325)	
40	19 • (352)	(324)	
	(353)	(323)	
20	17 • (354)	(322)	• 3
	(355)	(321)	
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	(357)	(319)	
	(358)	(318)	• 5
	14.1 • (359)	(317)	• 8
	(360)	(316)	
	(361)	(315)	
	(362)	(314)	• 8
	(363)	(313)	
120	12 • (364)	(312)	
	(365)	(311)	• 10
	(366)	(310)	
100	(367)	(309)	100

LAWRENCE-

90	1	(250)	160	(232)	90
		(252)		(231)	
80		(253)	160	(230)	2 90
39	17	80(254)	80	(229)	
842	17 23	(255)		(228)	
		(256)		(227)	3 90
81	15	(257)		(226)	
		(258)		(225)	
		(259)		(224)	4 90
210	14	(260)		(223)	
		(261)		(222)	5 90
		(262)		(221)	
		(263)		(220)	6 90
		(264)		(219)	
813		(265)		(218)	7 90
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		(267)		(216)	8 90
11		(268)		(215)	
		(269)		(214)	9 90
810		(270)		(213)	
		80(271)		(212)	80

MELROSE

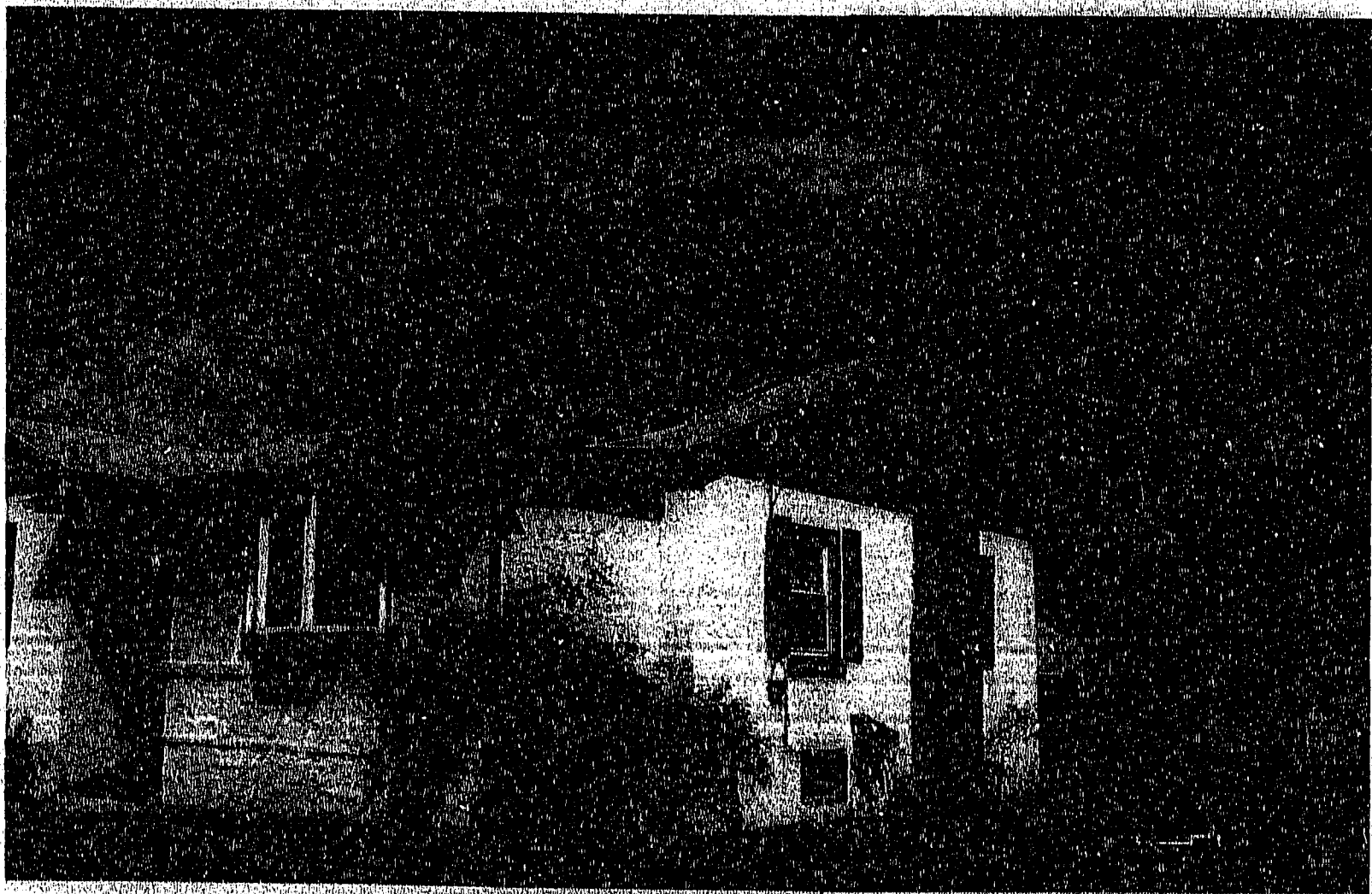
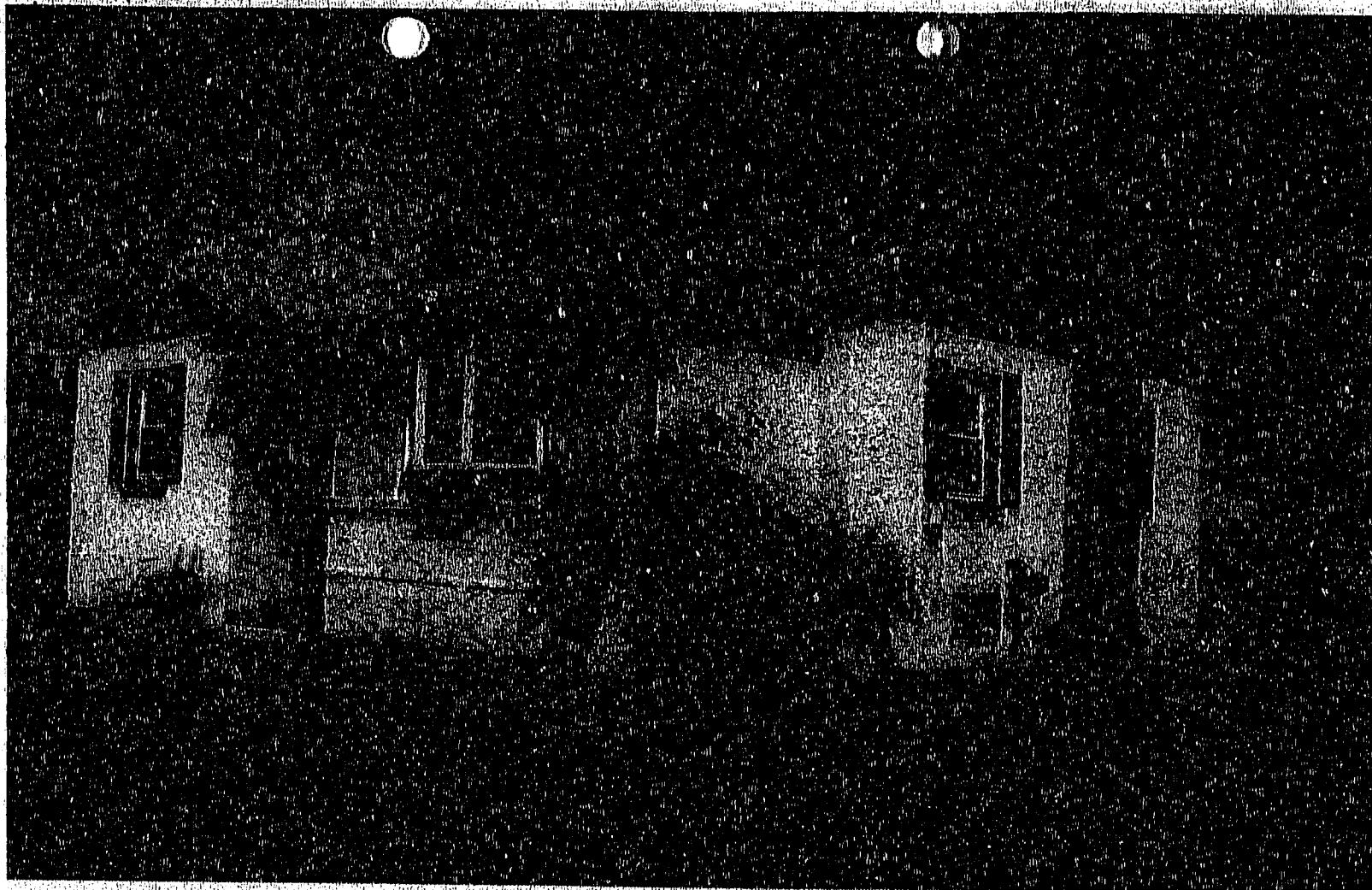
100 (158)	(157)	100	2
81	(159)	(136)	3
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	(162)	(133)	6
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	(164)	(131)	8
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22	(166)	(129)	10
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	(168)	(127)	
21	(169)	(126)	10
	(170)	(125)	
20	(171)	(124)	
	(172)		
18	(173)		11
	(174)		
	(175)		
15	(176)		
14	(177)		
100 (178)		100 (179)	

A VENUE

DFORD



06189-5EF



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 04-17-07
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 160.12 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #06-57

NAME & ADDRESS:

**GUMBS GENERAL CONTRACTING, INC.
P.O. Box 1292
Newburgh, NY 12550**

THANK YOU,

MYRA

L.R.04-17-07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #06-57 TYPE: AREA TELEPHONE: 561-7134

APPLICANT:

Karen Jeffers (CHECK FROM GUMBS GENERAL CONTRACTING)
33 Merline Avenue
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>116</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 115

~~~~~

| <u>DISBURSEMENTS:</u> | <u>MINUTES</u>       | <u>ATTORNEY</u> |
|-----------------------|----------------------|-----------------|
|                       | <u>\$7.00 / PAGE</u> | <u>FEE</u>      |

|                              |          |       |                 |                 |
|------------------------------|----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>3</u> | PAGES | \$ <u>21.00</u> | \$ <u>35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | —        | PAGES | \$ _____        | \$ _____        |
| PUBLIC HEARING:              | <u>5</u> | PAGES | \$ <u>35.00</u> | \$ <u>35.00</u> |
| PUBLIC HEARING:              | —        | PAGES | \$ _____        | \$ _____        |

LEGAL AD: Publish Date: 12-1-06      \$ 13.88

TOTAL:      \$ 69.88      \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 139.88

AMOUNT DUE: \$ _____

REFUND DUE: \$ 160.12

Cc:

L.R. 04-17-07



THE SENTINEL

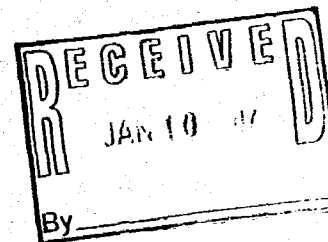
P.O. BOX 406
VAILS GATE, NY 12584

Invoice

Date	Invoice #
12/14/2006	8612

Bill To

TOWN OF NEW WINDSOR
555 UNION AVE
NEW WINDSOR, NY 12553

**P.O. No.**

47425

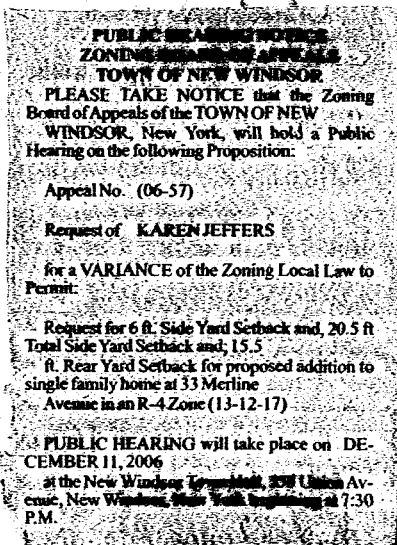
Terms

Due on receipt

Project

Issue Date	Description	PCS/Units	Amount
12/1/2006	LEGAL ADS: KAREN JEFFERS (06-57)	9.88	9.88
	1 AFFIDAVIT	4.00	4.00
		Total	\$13.88

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)
562-1218



State of New York
County of Orange, ss:
Patricia Quill being duly sworn
disposes and says that she is The
Supervisor of Legal Dept. of the
E.W. Smith Publishing Company;
Inc. Publisher of The Sentinel, a
weekly newspaper published and
of general circulation in the Town
of New Windsor, Town of
Newburgh and City of Newburgh
and that the notice of which the
annexed is a true copy was
published in said newspaper, 1X
commencing on
the 1 day of Dec A.D., 2006
and ending on the 1 day of
Dec A.D. 2006

[Signature]

Subscribed and shown to before
me this 3rd day of Jan, 2006

[Signature]
Notary Public of the State of New
York County of Orange.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984006
Commission Expires July 15, '07

My commission expires _____

PUBLIC HEARINGS:

KAREN JEFFERS_(06-57)

MS. GANN: Request for 6 ft. side yard setback and 20.5 ft. total side yard setback and 15.5 foot rear yard setback for proposed addition to single family home at 33 Merline Avenue. I'd looks to know if anyone is here for this public hearing? Raise your hand.

Mr. Ormiston Gumbs appeared before the board for this proposal.

MR. GUMBS: Good evening, my name is Armiston Gumbs here for Karen Jeffers.

MR. LUNDSTROM: Your relationship to the applicant?

MR. GUMBS: I'm the contractor and her brother.

MR. KRIEGER: That's Miss Jeffers here, right?

MR. CASESA: Yes.

MR. KRIEGER: I want the record to note that she's present.

MS. GANN: Tell us why you're here this evening.

MR. GUMBS: I came here trying to see if the approval was granted because I had a preliminary.

MS. GANN: Tell us what it is again, we have to go through this all over again.

MR. GUMBS: She's a single mother of two teenagers and the existing house is just a two bedroom so she's trying to get a third bedroom in order to accommodate her family.

MR. TORPEY: So you're closing in the deck to make another bedroom?

MR. GUMBS: Deck will be removed and add on an enclosed part, the deck's enclosed but more room on the back for a master bedroom.

MS. GANN: Is this addition including a kitchen?

MR. GUMBS: No, just a bathroom and bedroom and the deck is going to be like mud room or computer room or something.

MS. GANN: Will you be taking down any substantial vegetation in the building of the addition?

MR. GUMBS: There's nothing to be taken down.

MS. GANN: Creating any water hazards?

MR. GUMBS: No, the land is flat in the back.

MS. GANN: Does it go over any easements?

MR. GUMBS: No, I think we have an application, I think we got a variance for the easement because there's an easement on the right-hand side because of the driveway I think he was supposed to put in the required information.

MR. KRIEGER: There's an existing easement on the right-hand side?

MR. GUMBS: Yes.

MR. KRIEGER: That's the easement for water, sewer?

MR. GUMBS: No, actually, her property line is beyond, her garage is beyond the neighbor's property.

MR. BABCOCK: There's an easement, they have a four foot easement on their property and the neighbor has a four foot easement on their property for joint use of egress, that's it.

MR. KRIEGER: Now, when the chairman asked about easements she was particularly concerned about the water, sewer, electric, that sort of thing.

MR. GUMBS: No.

MR. KRIEGER: This wouldn't interfere with that.

MR. GUMBS: No.

MR. KRIEGER: Won't have any, if it's granted, won't have any affect on the, what you're talking about?

MR. GUMBS: Right.

MR. KRIEGER: Remains as is?

MR. GUMBS: Right.

MS. GANN: What's the total square footage?

MR. BABCOCK: According to the survey it's 477 square feet.

MS. LOCEY: What's 477 square feet?

MR. BABCOCK: The addition is 477.

MS. GANN: So it will be a bedroom?

MR. GUMBS: A bathroom and enclosing the existing deck.

MS. GANN: Any other questions from the board?

MR. LUNDSTROM: Just one, Madam Chairwoman, with this

addition, is it still, that house will still be in keeping with the character of the neighborhood?

MR. GUMBS: Right.

MR. LUNDSTROM: It's not overly large or anything?

MR. GUMBS: No, it's not going to be large, like I said, the only, it's just enclosing, extending the back and enclosing it, we're not making it any wider or anything and it's going to be pretty close to construction wise matching the--

MR. LUNDSTROM: The other houses?

MR. GUMBS: Right.

MR. TORPEY: It's only 477 square feet.

MR. GUMBS: The neighbors on the right, they had an addition but unfortunately the house burned down, the house on the right side of it.

MR. LUNDSTROM: So you're saying that with the new addition, the character of the new house will be in keeping with the character of the neighborhood?

MR. GUMBS: Right, it's not really changing much.

MS. GANN: Any other questions? I'd like to again open this to the public, see if there's anyone here for this public hearing. Being as there's no one, I'd like to close the public portion, ask Myra how many mailings we had.

MS. MASON: On November 28, I mailed out 74 addressed envelopes and had no response.

MS. GANN: I'll accept a motion.

December 11, 2006

17

MS. LOCEY: I will offer a motion to grant the requested variances on the application of Karen Jeffers as listed on the agenda for the New Windsor Zoning Board of Appeals dated December 11, 2006.

MR. TORPEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

KAREN JEFFERS

**AFFIDAVIT OF
SERVICE
BY MAIL**

#06-57

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 28TH day of **NOVEMBER**, 2006 , I compared the 74 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

th
11 day of December, 2006

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
456789
Commission Expires July 15, 2007

Deborah Green
Notary Public

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

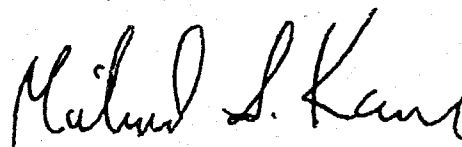
Appeal No. (06-57)

Request of KAREN JEFFERS

for a VARIANCE of the Zoning Local Law to Permit:

Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17)

PUBLIC HEARING will take place on DECEMBER 11, 2006
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.

A handwritten signature in dark ink, appearing to read "Michael S. Kane", written over a horizontal line.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

November 3, 2006

Karen Jeffers
33 Merline Ave.
New Windsor, NY 12553

Re: 13-12-17 ZBA#: 06-57 (74)

Dear Ms. Jeffers:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00 minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board

13-7-11.2
LEROY PORTER
9 MELROSE AVE.
NEW WINDSOR, NY 12553

13-7-12
BRIAN ALESSI
3 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-1
JEFFERY & JEANNE STENT
15 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-2, 3
LILIA NAZAREVITCH
9 CLANCY AVE.
NEW WINDSOR, NY 12553

13-10-4, 5, 6
FREDERICK & LINDA GREENE
28 BLANCHE AVE.
NEW WINDSOR, NY 12553

13-10-7
ROSE GROSSHOLTZ
19 WINDSOR DR.
NEW WINDSOR, NY 12553

3-10-8 & 13-10-9
DAVID DEYO
BLANCHE AVE.
NEW WINDSOR, NY 12553

13-10-10
DAVID FRANKLIN
42 BLANCHE AVE.
NEW WINDSOR, NY 12553

13-10-11
LORRAINE SLACIN
91 EDGEHILL DR.
WAPPINGERS FALLS, NY 12590

13-10-14
LEROY STANFORD
53 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-15
B. BOOTH, D. MANNIX & JOHN KONRAD
51 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-18
GEORGE & DONNA KIRK
45 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-20 & 13-10-21
ANGELA MONTELEONE
37 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-22
EDWARD & PAULINE STARR
33 MELROSE AVE.
NEW WINDSOR, NY 12553

13-10-24 & 13-10-25
EDUARDO & ROBYN RICHI
23 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-1
PETER & CHRISTINE GANDOLFINI
16 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-2
JOHN & JAYNE KELLY
20 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-3
ALDABERTO PADILLA
26 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-4
DANIEL & MARY BAXTER
30 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-5
MIRA ELLEN BLYTHE
320 JACKSON AVE.
NEW WINDSOR, NY 12553

13-11-6
EDWIN TORRES
MADAILIA OQEUNDO
38 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-7 & 13-11-13
KHOA VAN PHAM & ANH TRAN
44 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-8
JEFFREY & FRANCES KIRK
46 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-9
EDWARD & HELEN SIMANOSKI
56 MELROSE AVE.
NEW WINDSOR, NY 12553

13-11-10 & 13-11-11
LAWRENCE AVENUE PROP.
63 LAWRENCE AVE.
NEW WINDSOR, NY 12553

13-11-14
ANNE MALINOSKI &
JOHN RYMASZEWSKI
39 LAWRENCE AVE.
NEW WINDSOR, NY 12553

13-11-15
SEAN FLANAGAN
33 LAWRENCE AVE.
NEW WINDSOR, NY 12553

13-11-17
FRANK LAMBARDI
361 OAK DRIVE
NEW WINDSOR, NY 12553

13-12-1
JEFFEREY MCCURRY
19 MERLINE AVE.
NEW WINDSOR, NY 12553

15-4-4
DANIEL & DOLORES DELICIO
53 MYRTLE AVE
NEW WINDSOR, NY 12553

13-2-8
EDWARD & ELLEN JACOPINO
238 WALSH AVE.
NEW WINDSOR, NY 12553

13-3-3
ROBERT ZAMENICK
254 WALSH AVE.
NEW WINDSOR, NY 12553

15-4-2
ANNE CORSO
37 BRADFORD AVE.
NEW WINDSOR, NY 12553

13-2-9
MICHAEL PONESSE
242 WALSH AVE.
NEW WINDSOR, NY 12553

13-3-5, 6.2
ELIZABETH &
MICHAEL PETTINE
10 LAWRENCE AVE.
NEW WINDSOR, NY 12553

15-4-3
ERICA GRASSI
64 MERILINE AVE.
NEW WINDSOR, NY 12553

13-2-10.1
PETRILLO PROPERTIES INC.
246 WALSH AVE.
NEW WINDSOR, NY 12553

13-3-6.1, 7
JAMES & GERALDINE LEE
12 LAWRENCE AVE.
NEW WINDSOR, NY 12553

15-4-4
DEREK CRAWFORD
70 MERILINE AVE.
NEW WINDSOR, NY 12553

13-2-13, 14
ANNA CRUDELE
12 MERLINE AVE.
NEW WINDSOR, NY 12553

13-3-8
MARIA &
CARMELO MALDONADO
22 LAWRENCE AVE.
NEW WINDSOR, NY 12553

15-6-1
MANUEL DOMINGUEZ
29 BRAFOR D AVE.
NEW WINDSOR, NY 12553

13-2-15
LESLIE KING
38 CLANCY AVE.
NEW WINDSOR, NY 12553

13-3-9
ANTHONY MESSINA
15 MERLINE AVE.
NEW WINDSOR, NY 12553

15-6-2
GREGORY GREINER
70 LAWRENCE AVE.
NEW WINDSOR, NY 12553

13-2-16
CARMEN DAMARIO
13 OAK RIDGE DR.
NEW WINDSOR, NY 12553

13-6-1
HOTZLUCHA WALSH REALTY
256 WALSH AVE.
NEW WINDSOR, NY 12553

15-7-1
LAWRENCE AVE. PROPERTIES
593 LAKESIDE RD.
NEWBURGH, NY 12550

13-2-17
EDWARD & ELLEN JACOPINO
13 OAK RIDGE DR.
NEW WINDSOR, NY 12553

13-6-2
ELIZABETH RAHM
15 LAWRENCE AVE.
NEW WINDSOR, NY 12553

15-7-2,12
SUSAN & DOUGLAS OLYMPIA
58 MELROSE AVE.
NEW WINDSOR, NY 12553

13-2-18
FARICELLIA LTD
650 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

13-6-3
EILEEN SHARROW
19 LAWRENCE AVE.
NEW WINDSOR, NY 12553

13-2-4, 6
WILLIAM & IRIS BESSETTE
234 WALSH AVE #6
NEW WINDSOR, NY 12553

13-3-1, 10, 11
GARY & DARLA DREYER
18 VERONICA AVE.
NEW WINDSOR, NY 12553

13-6-4
CHESTER &
EVELYN GRZIBOWSKI
12 MELROSE AVE.
NEW WINDSOR, NY 12553

13-2-7
MIJOKA PROPERTIES, INC.
PO BOX 417
WASHINGTONVILLE, NY 10992

13-3-2
LUIS RODRIGUEZ
252 WALSH AVE.
NEW WINDSOR, NY 12553

13-7-8, 9, 13-10-23
ROY COYKENDALL &
DEBRA REGAN
25 MELROSE AVE.
NEW WINDSOR, NY 12553

13-13-21
ADAN & MICHELLE GOMEZ
27 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-11,18
EDWARD MAKAREWICZ
19 CHERRY AVE.
NEW WINDSOR, NY 12553

13-13-22
SCOTT POTTER
23 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-12,13,14,15,16,17
VINCENT YONNONE
63 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-13-23
ANN HILL
13 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-19
ANNA CARDAMONE
15 CHERRY AVE.
NEW WINDSOR, NY 12553

13-13-24
ALFRED CRUDELE
37 CLANCY AVE.
NEW WINDSOR, NY 12553

13-14-20
DOROTHEA &
RICHARD MAKAREWICZ
11 CHERRY AVE.
NEW WINDSOR, NY 12553

13-14-1, 22.2
JOHN & JANET DUDA
45 CLANCY AVE.
NEW WINDSOR, NY 12553

13-14-22.1
YEDDA & LONNIE PARKER
9 CHERRY AVE.
NEW WINDSOR, NY 12553

13-14-2
RICHARD BUCCI &
SHERRY DEYO
2 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-3
MAUREEN GRACE
12 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-4
JOSEPH & ETHEL REARDON
14 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-6.1
GASPER &
ELIZABETH CANGELOSI
20 MYRTLE AVE.
NEW WINDSOR, NY 12553

13-14-9
CARL &
GWENDOLYNE CARLSON
26 MYRTLE AVE.
NEW WINDSOR, NY 12553



RESULTS OF Z.B. MEETING OF: December 2006

PROJECT: Karen Jeffers

ZBA # 06-57

P.B.#

USE VARIANCE: NEED: EAF _____ PROXY

LEAD AGENCY: M)____S)____ VOTE: A____N____

**GANN
LUNDSTROM
LOCEY
TORPEY
KANE**

CARRIED: Y_____N_____

PUBLIC HEARING: M)_____ S)_____ VOTE: A_____ N_____

GANN
LUNDSTROM
LOCEY
TORPEY
KANE

CARRIED: Y_____N_____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN
LUNDSTROM
LOCEY
TORPEY
KANE

CARRIED: Y___N___

APPROVED: M)____S)____ VOTE: A____N____

GANN
LUNDSTROM
LOCEY
TORPEY
KANE

CARRIED: Y_____N_____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED: M) Lo S) T VOTE: A 4 N 0.

GANN	A
LUNDSTROM	A
LOCEY	A
TORPEY	A
KANE	

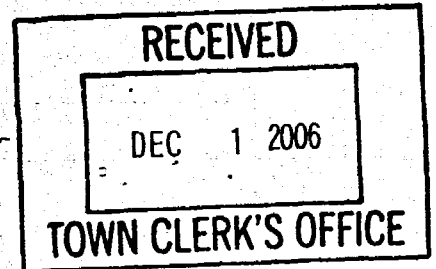
CARRIED: Y ✓ N .

December 11, 2006



TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE
555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4611
Fax: (845) 563-4670



REQUEST FOR PUBLIC RECORDS

Date: 12-1-06
Name: Frank Lombardi
Address: 361 Oak Dr 12553
Phone: (845) 629-1301
Representing: _____

Please specify:

- **Property location (street address or section, block and lot number)**
- **Department you are requesting records from**
- **Describe information requested as fully as possible**

Variance for 33 Merlin Ave

Documents may not be taken from this office.

October 23, 2006

8

KAREN_JEFFERS_(06-57)

MR. KANE: Request for 6 ft. side yard setback and 20.5 ft. total side yard setback and 15.5 ft. rear yard setback for proposed addition to single family home at 33 Merline Avenue.

Mr. Ormiston Gumbs appeared before the board for this proposal.

MR. KANE: For those of you in the audience we hold a preliminary meeting so we can get an idea what you want to do. If this was another town, you walk in, you don't have the right information, you lose, you can't come back for six months. This way, you come in, if we need something you don't have, we're not aware of, we help you out, we set it up basically you go through the same thing just so you understand.

MR. GUMBS: My name is Ormiston Gumbs, I'm here for my sister, she's trying to put up her addition which seems to be lacking enough space and so I'm here trying to get approval.

MR. KANE: Where is the addition going to go, sir? Can you show me on these pictures.

MR. GUMBS: In the rear of the house right here.

MR. BABCOCK: You should have a survey, Mr. Chairman.

MS. MASON: He has it.

MR. KANE: Thank you.

MR. GUMBS: In the back there cause she's not going to be much further back than the neighbors.

MR. KANE: So the addition itself is actually going to keep the home in the same approximate size of other

October 23, 2006

9

homes in your neighborhood?

MR. GUMBS: Right.

MR. KANE: Cutting down any trees, substantial vegetation?

MR. GUMBS: No, just grass in the back yard.

MR. KANE: Creating any water hazards or runoffs?

MR. GUMBS: No.

MR. KANE: The addition itself, it's not going to be in, used as an apartment or anything, it's going to be--

MR. GUMBS: What happens is she got two kids soon-to-be teenagers and the present house is only two bedrooms.

MR. KANE: Just going to be adding another bedroom and expanding the home?

MR. GUMBS: Right.

MR. KANE: Deck right here that's going to come off and turn into part of the house?

MR. GUMBS: Right.

MR. KANE: Any easements running through where you intend to put the deck, the addition, I'm sorry? Any easements meaning a right-of-way. There doesn't seem to be any but we're going to ask the question.

MR. GUMBS: No.

MR. KANE: I think that's it for now.

MR. KRIEGER: Water and sewer?

October 23, 2006

10

MR. GUMBS: Public.

MR. KANE: We covered the apartment issue. Any further questions? At this point, I'll accept a motion.

MR. LUNDSTROM: Mr. Chairman, I will offer a motion that the application of Karen Jeffers be allowed to proceed to a public hearing.

MR. TORPEY: I'll second that.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: October 23, 2006

PROJECT: Karen Jeffers ZBA # 06-57
P.B.# _____



USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) LU S) I VOTE: A 4 N 0



GANN _____
LUNDSTROM A
LOCEY A
TORPEY A
KANE A

CARRIED: Y ✓ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#834-2006

10/20/2006

Gumbs General Contracting

Received \$ 50.00 for Zoning Board Fees, on 10/20/2006. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 10-18-06

FOR: 06-57 ESCROW

FOR / FROM:

Karen Jeffers
33 Merline Avenue
New Windsor, NY 12553

CHECK FROM:

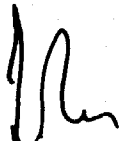
GUMBS GENERAL CONTRACTING, INC.
P.O. Box 1292
Newburgh, NY 12550

CHECK NUMBER: 115

TELEPHONE: 527-6189

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

10/20/06

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



COMPUTER SPECIALIST WORK ORDER

CUSTOMER INFO

DATE: 10/13/2006

NAME: GUMBS GEN. CONTR.

PHONE: () -

ADDRESS: CELL: () -

CITY: STATE: ZIP: WORK: () -

EMAIL ADDRESS: REFERRED BY:

COMPUTER INFO

MAKE: GATEWAY

COLOR: _____

MODEL: M866

SERIAL #: _____

TYPE: LAPTOP ☐ DESKTOP: ☒

MISCELLANEOUS INFO

ALSO GIVEN WITH COMPUTER: _____

PROBLEMS

WON'T TURN ON: ☐

CAN'T GET ON INTERNET: ☐

POSSIBLE VIRUS: ☐

FREQUENT LOCKUPS: ☐

RUNNING SLOW: ☐

COMPUTER IS LOUD: ☐

PRINTER DOESN'T WORK: ☐

A LOT OF POP-UPS: ☐

SOUND DOESN'T WORK: ☐

CD-ROM DOESN'T WORK: ☐

MODEM DOESN'T WORK: ☐

FLOPPY DOESN'T WORK: ☐

TRY TO
RETURN
TODAY
OR TODAY

OTHER: ALL AOL PROD. REMOVE

☒ USB: 2.0

☒ FOR VIRUS'

CLEAN UP

FAN NOISE

ADDITIONAL INFO

OPERATING SYSTEM: _____ USER NAME: _____ PASSWORD: _____

INTERNET SERVICE: _____ USER NAME: _____ PASSWORD: _____

HIGH-SPEED ☒

DIAL UP ☐

PRINTER: MAKE: _____ MODEL: _____

USB ☒

PARALLEL ☐

SUGGESTIONS

Would you like a free price quote to upgrade your computer ☐

CUSTOMER SIGNATURE: _____ DATE: _____

\$140.00
TOTAL

\$60.00 USB

\$80.00 - Virus clean

USB 2.0

Taconic Design CONSULTANTS, Inc.

633 GIDNEY AVENUE * NEWBURGH, NY 12550
(845)-569-8400 * (fax) (845)-569-4583

August 15, 2006

Karen Jeffers
33 Merline Avenue
New Windsor, NY 12553

Re: Jeffers Variance Application
Job #06189

Dear Karen,

The following is our bill for professional services rendered for the above referenced variance application.

Lump Sum Amount

\$ 350.00

*Check 113.
\$350.00 12/12/06
[Signature]*

Please make check payable to Taconic Design Consultants, Inc. If you have any questions or concerns, please do not hesitate to contact me at the above number.

Very truly yours,

[Signature]

Charles T. Brown, PE
Taconic Design Consultants
President

- All accounts are payable upon receipt.
A service charge of 1½% per month
18% APR will be added to all overdue
accounts. Also liable for all legal and
collection costs.

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: 10-24-06 mm

DATE: 10-20-06 PROJECT NUMBER: ZBA# 06-57 P.B. # _____

APPLICANT NAME: KAREN JEFFERS

PERSON TO NOTIFY TO PICK UP LIST:

KAREN JEFFERS
33 MERLINE AVENUE
NEW WINDSOR, NY

TELEPHONE: 561-7134

TAX MAP NUMBER: SEC. 13 BLOCK 12 LOT 17
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 33 MERLINE AVE
NEW WINDSOR, NY

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 117

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

RECEIVED

OCT 16 2006



APPLICATION FOR VARIANCE

BUILDING DEPARTMENT

10/09/06
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: ()
Karen Jeffers Fax Number: ()
 (Name)
33 Merline Ave New Windsor, NY 12553
 (Address)

II. **Applicant:** Phone Number: (845) 561-7334
Karen Jeffers Fax Number: ()
 (Name)
33 merline ave new Windsor NY 12553
 (Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
 Fax Number: ()
 (Name)
 (Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845)-569-0400
 Fax Number: (845)-569-4583
Taconic Design Consultants
 (Name)
633 Gidney Avenue Newburgh, NY 12550
 (Address)

V. **Property Information:**
 Zones R-4 Property Address in Question: 33 Merline Ave.
 Lot Size: 5,250 sq. ft. Tax Map Number: Section 13 Block 12 Lot 17
 a. What other zones lie within 500 feet? PI
 b. Is pending sale or lease subject to ZBA approval of this Application? _____
 c. When was property purchased by present owner? _____
 d. Has property been subdivided previously? NO If so, When: N/A
 e. Has an Order to Remedy Violation been issued against the property by the
 Building/Zoning/Fire Inspector? NO
 f. Is there any outside storage at the property now or is any proposed? None

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	43,560sf	5,250sf	none
Min. Lot Width	12.5'	53'	none
Reqd. Front Yd.	45'	12'	none
Reqd. Side Yd.	20'	14'	6'
Reqd. Rear Yd.	50'	34.5'	15.5'
Reqd. St Front*	45'	12'	none
Max. Bldg. Hgt.	35'	20	none
Min. Floor Area*	N/A	1,513sf	none
Dev. Coverage*	20%	56%	none
Floor Area Ration**	N/A	N/A	none
Parking Area	2	2	none

*Residential Districts Only

**Non-Residential Districts Only

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**TOWN OF NEW WINDSOR
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APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

This application is for an addition to an existing 1,036sf residence located in the R-4 zone. We are requesting a permit to construct a 477sf addition, directly off the back, eliminating the existing deck. The proposed rear side of the addition will be approximately equal to the adjoining lot on the same side of the street. Due to the age of the subdivision from which this lot was created the current minimum zoning cannot be met. We are requesting a variance for the ~~rear~~ rear & side yard to expand an existing bedroom. Due to the location and size of the addition, no adverse effects or impacts to the neighborhood or environment will be created.

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- _____
- _____

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☒ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

16th day of October 2006, BRUTUS W. HODGE
Notary Public, State of New York
Qualified in Orange County
Registration No. 01HO6921312
Commission Expires January 31, 2007

Brutus W. Hodge
Signature and Stamp of Notary

Karen Jeffers
Owner's Signature (Notarized)

Karen Jeffers
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

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COMPLETE THIS PAGE ☐

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Karen Jeffers, deposes and says that he resides
(OWNER)
at 33 Merline Ave. New Windsor in the County of Orange
(OWNER'S ADDRESS)
and State of New York and that he is the owner of property tax map
(Sec. Block Lot)
designation number (Sec. 13 Block 12 Lot 17) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Taconic Design Consultants

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: Oct 16, 2006

^{**}
Karen Jeffers
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:

16th day of October 2006

BRUTUS W. HODGE
Notary Public, State of New York
Qualified in Orange County
Registration No. 01HO6921312
Commission Expires January 31, 2007

Applicant's Signature (If different than owner)

Representative's Signature

Brutus W. Hodge
Signature and Stamp of Notary

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>Karen Jeffers / Taconic Design</u>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <u>New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>33 Merline Avenue, New Windsor, SBL 13-12-17</u>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>4.77 ± sf addition to an existing residence</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.12</u> acres Ultimately <u>0.12</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>New Windsor Zoning board for Variance</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval <u>New Windsor Planning board building permit</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Karen Jeffers</u> Date: <u>10-16-06</u> Signature: <u>Karen Jeffers</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality; surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: <u>none</u>	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: <u>none</u>	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: <u>none</u>	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: <u>none</u>	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: <u>none</u>	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: <u>none</u>	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: <u>none</u>	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

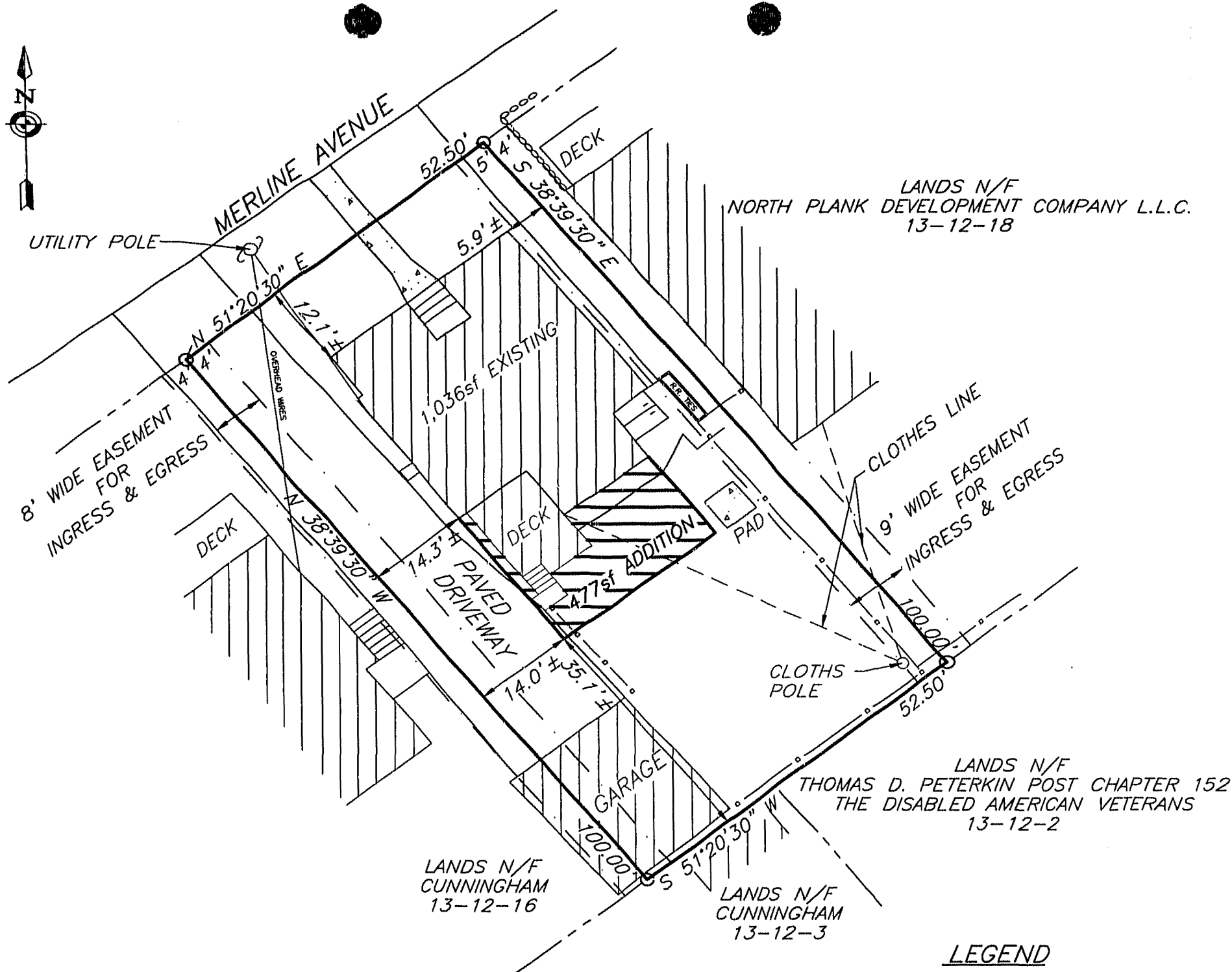
PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	

Name of Lead Agency	
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)

Date	



LEGEND

- PROPERTY LINE
- PROPERTY LINE ADJOINING
- EASEMENT EXISTING
- BUILDING EXISTING
- BUILDING EXISTING TO BE REMOVED
- BUILDING PROPOSED
- STOCKADE FENCE

ZONING SCHEDULE

ZONE: R-4

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	43,560sf.	*5,250sf.	*5,250sf.
MINIMUM YARDS (feet)			
FRONT	45'	*12'	*12'
REAR	50'	*42'	**34.5'
SIDE			
ONE	20'	*6'	**6'
BOTH	40'	*20'	**20'
MINIMUM LOT WIDTH (feet)	125'	*53'	*53'
MAXIMUM DEVELOPMENT COVERAGE (%)	20%	47%	56%
MAXIMUM BUILDING HEIGHT	35'	20'	20'

*= EXISTING NON-CONFORMING

**= VARIANCE REQUIRED

MAP REFERENCE

ALL EXISTING FEATURE INCLUDING PROPERTY LINES AND STRUCTURES ARE A PER A SURVEY ENTITLED "KAREN JEFFERS" PREPARED BY WILLIAM B. HILDRETH LS., COMPLETED ON JULY 2006

REVISED 10/09/06: PER ZONING VARIANCE APPLICATION

TACONIC DESIGN CONSULTANTS

633 GIDNEY AVENUE
NEWBURGH, NY 12550

845-569-8400
845-569-4583 (fax)

ENGINEER

CHARLES T. BROWN P.E.
WILLIAM J. MOREAU, P.E.
1 GARDNERTOWN ROAD
NEWBURGH, NY 12550
(845)-561-2582



SITE PLAN FOR:
JEFFERS

S.B.L:13-12-17,(LOTS 353& 354) "CITY PARK"
FM # 647, 33 MERLINE AVENUE
NEW WINDSOR ORANGE COUNTY, NEW YORK

DATE 08/14/06	SCALE 1"=20'	JOB NUMBER 06189-JEF	SHEET NUMBER 1 OF 1
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